

MONDAY, APRIL 2, 2018

SIXTY-SIXTH LEGISLATIVE DAY

The House met at 4:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Kevin Queen, Cross Point Church, Nashville, TN.

Representative Mitchell led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 93

Representatives present were Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 93

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Jones; personal

PRESENT IN CHAMBER

Reps. DeBerry, Parkinson and Turner were recorded as being present in the Chamber.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 707 Reps. Akbari, Hardaway and Camper as prime sponsors.

House Joint Resolution No. 998 Rep. Ramsey as prime sponsor.

3703

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

House Joint Resolution No. 1006 Rep. Clemmons as prime sponsor.

House Joint Resolution No. 1007 Reps. T. Hill, Holsclaw, M. Hill and Van Huss as prime sponsors.

House Joint Resolution No. 1010 Reps. Staples and Clemmons as prime sponsors.

House Joint Resolution No. 1011 Reps. Gilmore and Clemmons as prime sponsors.

House Bill No. 836 Reps. Hardaway, Lynn and Thompson as prime sponsors.

House Bill No. 1240 Reps. Camper and Turner as prime sponsors.

House Bill No. 1344 Reps. Hardaway and Stewart as prime sponsors.

House Bill No. 1578 Rep. Hardaway as prime sponsor.

House Bill No. 1823 Rep. Kane as prime sponsor.

House Bill No. 1862 Reps. Turner, Gilmore, M. White, Powell and Thompson as prime sponsors.

House Bill No. 1956 Rep. Weaver as prime sponsor.

House Bill No. 1968 Reps. Lynn and Crawford as prime sponsors.

House Bill No. 2033 Reps. Daniel, Hazlewood, Crawford and Butt as prime sponsors.

House Bill No. 2232 Rep. T. Hill as prime sponsor.

House Bill No. 2412 Reps. Daniel, Powell, Clemmons, Gilmore, Sparks, Hardaway and Hazlewood as prime sponsors.

House Bill No. 2423 Rep. Coley as prime sponsor.

House Bill No. 2434 Reps. Love and Hazlewood as prime sponsors.

MESSAGE FROM THE SENATE
April 2, 2018

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 2461; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 2461 -- Professions and Occupations - As introduced, requires the department of commerce and insurance to publish its roster showing the names and places of business of all geologists licensed in this state on the department's website. - Amends TCA Title 20; Title 62 and Title 63. by *Roberts, *Yager. (*HB1799 by *Faison)

3704

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MESSAGE FROM THE SENATE
April 2, 2018

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 2002 and 2255; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 2002 -- Child Custody and Support - As introduced, extends subject matter jurisdiction to hear grandparent visitation cases to any court that exercises domestic relations jurisdiction. - Amends TCA Section 36-6-306. by *Yager. (*HB1841 by *Travis)

Senate Bill No. 2255 -- Mass Transit - As introduced, designates department of transportation as state agency with oversight over safety of rail fixed guideway public transportation systems in Tennessee; makes other related revisions to comply with Title 49 of the United States Code. - Amends TCA Title 10; Title 13; Title 54 and Title 65. by *Norris, *Watson, *Bailey. (*HB1830 by *Hawk)

MESSAGE FROM THE SENATE
April 2, 2018

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 670, 806 and 836; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 670 -- Memorials, Recognition - John Yunker, Tiffany King, and Dennis Georgatos of Skanska USA. by *Dickerson.

Senate Joint Resolution No. 806 -- Memorials, Sports - Lipscomb University men's basketball team. by *Roberts, *Yarbro.

Senate Joint Resolution No. 836 -- Memorials, Recognition - Hardin Valley Cleanup, 20th anniversary. by *McNally.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Butt was recognized in the Well to honor Ginger Alexandra Morrow, 2018 Mule Day Queen.

RESOLUTION READ

The Clerk read House Joint Resolution No. 927, adopted March 19, 2018.

House Joint Resolution No. 927 -- Memorials, Recognition - Ginger Alexandra Morrow, 2018 Mule Day Queen. by *Butt, *Curcio.

RECOGNITION IN THE WELL

Representative Williams was recognized in the Well to honor Representative Marc Gravitt.

RULES SUSPENDED

Rep. Williams moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 908 out of order, which motion prevailed.

House Joint Resolution No. 908 -- Memorials, Public Service - Representative Marc Gravitt. by *Williams, *Casada.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Williams, the resolution was adopted.

A motion to reconsider was tabled.

RESOLUTION READ

The Clerk read House Joint Resolution No. 908.

House Joint Resolution No. 908 -- Memorials, Public Service - Representative Marc Gravitt. by *Williams, *Casada.

RECOGNITION IN THE WELL

Representative Williams was recognized in the Well to honor Representative Charles Sargent.

RULES SUSPENDED

Rep. Williams moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 873 out of order, which motion prevailed.

House Joint Resolution No. 873 -- Memorials, Public Service - Representative Charles Sargent. by *Williams, *Casada, *Harwell.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Williams, the resolution was adopted.

A motion to reconsider was tabled.

RESOLUTION READ

The Clerk read House Joint Resolution No. 873.

House Joint Resolution No. 873 -- Memorials, Public Service - Representative Charles Sargent. by *Williams, *Casada, *Harwell.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 4, 2018:

House Resolution No. 269 -- Memorials, Death - Deputy Sheriff Jerry Dean Farmer. by *Hill T.

House Joint Resolution No. 1014 -- Memorials, Academic Achievement - Jenna Brackett, Valedictorian, Heritage High School. by *Moon.

House Joint Resolution No. 1015 -- Memorials, Academic Achievement - Emilee Grace Bowers, Salutatorian, Heritage High School. by *Moon.

House Joint Resolution No. 1016 -- Memorials, Retirement - Mark S. Freedman. by *Clemmons.

House Joint Resolution No. 1017 -- Memorials, Recognition - Eureka Lodge #3, 144th Anniversary. by *Camper.

House Joint Resolution No. 1018 -- Memorials, Professional Achievement - Karen Franklin, Senator Douglas Henry Award for Service to Children and Families at Risk. by *Pitts.

House Joint Resolution No. 1019 -- Memorials, Recognition - Scott Finney. by *Pitts.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for April 4, 2018:

Senate Joint Resolution No. 670 -- Memorials, Recognition - John Yunker, Tiffany King, and Dennis Georgatos of Skanska USA. by *Dickerson.

Senate Joint Resolution No. 836 -- Memorials, Recognition - Hardin Valley Cleanup, 20th anniversary. by *McNally.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 834 -- Mental Health & Substance Abuse Services, Dept. of - As introduced, requires the Tennessee bureau of investigation to notify the department, within one day of receiving notice of an attempt, if a person who has been adjudicated as a mental defective or judicially committed to a mental institution has attempted to purchase a firearm. - Amends TCA Title 16; Title 33 and Section 38-6-109. by *Haile, *Dickerson, *Norris, *Harris, *Crowe, *Jackson, *Massey, *Niceley, *Stevens, *Yarbro. (*HB958 by *Farmer, *Camper, *Casada, *Hardaway)

Senate Bill No. 1386 -- Education - As introduced, removes requirement that THEC and the department of health report to the education committees of the general assembly in 2010, 2012, and 2013 regarding the Tennessee rural health scholarship pilot program. - Amends TCA Title 49. by *Tate, *Crowe, *Haile, *Gresham, *Jackson, *Niceley, *Norris, *Watson. (*HB1240 by *Akbari, *Love)

***Senate Bill No. 1618** -- Education - As introduced, requires the commissioner of education to notify LEAs when the office of research and education accountability publishes a report germane to K-12 education. - Amends TCA Title 49. by *Gresham, *Stevens. (HB1968 by *Rudd, *Dunn)

***Senate Bill No. 1732** -- Sunset Laws - As introduced, imposes deadline by which beauty pageant operators must refund pageant entrants' fees when such pageants are canceled or otherwise do not take place. - Amends TCA Title 4, Chapter 29, Part 2; Title 47, Chapter 18, Part 2 and Section 67-6-330. by *Bell. (HB2329 by *Faison)

***Senate Bill No. 2108** -- Environment and Conservation, Department of - As introduced, requires the department to use existing knowledge and volunteer personnel to provide training to members of municipal solid waste management region boards. - Amends TCA Title 68, Chapter 211. by *Niceley. (HB2442 by *Shaw, *Gilmore)

Senate Bill No. 2159 -- Capitol - As introduced, directs the state capitol commission, subject to funding from nonstate sources, to place a POW-MIA Chair of Honor on the capitol grounds. by *Bell, *Stevens, *Bailey, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Gresham, *Haile, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Massey, *Niceley, *Norris, *Pody, *Reeves, *Roberts, *Southerland, *Swann, *Tate, *Watson, *Yager, *Yarbro, *McNally. (*HB2138 by *Hill T, *Brooks K)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 2718** -- Taxes, Hotel Motel -- House Local Government Committee

House Bill No. 2719 -- Mountain City -- House Local Government Committee

House Bill No. 2720 -- Portland -- House Local Government Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 2, 2018**, reported the following:

CRIMINAL JUSTICE COMMITTEE

The Criminal Justice Committee recommended for passage: House Bills Nos. 2024 and 2691 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 1467, 825 and 2032 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following to the Health Committee: House Bill No. 1959 with amendments.

The Committee further reports that House Bill No. 1954 was considered, but failed to pass.

GOVERNMENT OPERATIONS COMMITTEE

The Government Operations Committee recommended for passage: House Bills Nos. 1778, 1831, 2313, 1630, 1657, 1664 and 2555. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bills Nos. 2303, 880 and 2198, also House Bill No. 2386 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CONSENT CALENDAR

House Bill No. 2232 -- Taxes, Sales - As introduced, clarifies that sales and use tax on sales of water by public utility and sales of natural gas, propane, and electricity sold directly to consumer for non-residential uses only applies to charges on a customer's monthly bill for metered usage, a monthly minimum bill, a monthly customer charged, or a monthly demand charge. - Amends TCA Title 67, Chapter 6, Part 3. by *McDaniel, *Marsh, *Calfee, *Alexander.

***House Bill No. 2233** -- Utilities, Utility Districts - As introduced, authorizes utility districts to enter into contracts or arrangements relating to natural gas with a public corporation that is created under the authority of a contiguous state and that is similar to an energy acquisition corporation created under the authority of this state. - Amends TCA Section 7-82-302. by *McDaniel.

On motion, House Bill No. 2233 was made to conform with **Senate Bill No. 2524**; the Senate Bill was substituted for the House Bill.

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***House Bill No. 2188** -- Local Government, General - As introduced, authorizes a person to serve simultaneously as a member of a county election commission and as a member of a municipal or county board if the position on the board is not an elected position and is filled only by appointment and compensation for service on the board is \$100 per meeting or less. - Amends TCA Title 2; Title 5 and Title 6. by *Littleton, *Goins, *Wirgau.

***House Bill No. 1819** -- Banks and Financial Institutions - As introduced, broadens the definition of financial institution to include a trust company and institutions that are organized under the laws of other states for purposes of conversion of charter and resulting institutions; requires a financial institution that results from a conversion to have its principal place of business in this state. - Amends TCA Title 45, Chapter 1; Title 45, Chapter 11 and Title 45, Chapter 2. by *Hawk, *Casada, *Powers, *Williams, *Dunn, *Smith, *Rogers, *Coley, *White M, *Gravitt, *Gant, *Howell, *Vaughan, *Travis.

On motion, House Bill No. 1819 was made to conform with **Senate Bill No. 2243**; the Senate Bill was substituted for the House Bill.

House Bill No. 2527 -- Purchasing and Procurement - As introduced, allows local governments to make purchases of certain motor vehicles through a federal general service administration contract. - Amends TCA Title 12, Chapter 3, Part 12. by *Calfee.

On motion, House Bill No. 2527 was made to conform with **Senate Bill No. 1596**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1830** -- Mass Transit - As introduced, designates department of transportation as state agency with oversight over safety of rail fixed guideway public transportation systems in Tennessee; makes other related revisions to comply with Title 49 of the United States Code. - Amends TCA Title 10; Title 13; Title 54 and Title 65. by *Hawk.

On motion, House Bill No. 1830 was made to conform with **Senate Bill No. 2255**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1512** -- Tennessee Bureau of Investigation - As introduced, allows uniformed law enforcement officers of the TBI who retire after at least 25 years to receive a retired commission card and the officer's service firearm, as is currently the case with TBI agents who retire after 25 years. - Amends TCA Title 38, Chapter 6. by *Hulsey.

On motion, House Bill No. 1512 was made to conform with **Senate Bill No. 1697**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1807** -- Food and Food Products - As introduced, specifies that the department of agriculture may cooperate with the United States food and drug administration in enforcement of the federal standards for the growing, harvesting, packing, and holding of produce for human consumption. - Amends TCA Title 53, Chapter 1. by *Hawk, *Casada, *Halford.

***House Bill No. 1792** -- Courts - As introduced, enacts the "Uniform Commercial Real Estate Receivership Act." - Amends TCA Title 29; Title 47; Title 48 and Title 66. by *Farmer.

On motion, House Bill No. 1792 was made to conform with **Senate Bill No. 1921**; the Senate Bill was substituted for the House Bill.

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House Bill No. 1786 -- Criminal Procedure - As introduced, requires a state control number on R-84 Disposition Cards that are attached to arresting documents. - Amends TCA Title 8, Chapter 4 , Part 1. by *Farmer, *Carter, *Curcio, *Lamberth, *Goins, *Johnson.

***House Bill No. 1799** -- Professions and Occupations - As introduced, requires the department of commerce and insurance to publish its roster showing the names and places of business of all geologists licensed in this state on the department's website. - Amends TCA Title 20; Title 62 and Title 63. by *Faison.

On motion, House Bill No. 1799 was made to conform with **Senate Bill No. 2461**; the Senate Bill was substituted for the House Bill.

***House Bill No. 1841** -- Child Custody and Support - As introduced, extends subject matter jurisdiction to hear grandparent visitation cases to any court that exercises domestic relations jurisdiction. - Amends TCA Section 36-6-306. by *Travis.

On motion, House Bill No. 1841 was made to conform with **Senate Bill No. 2002**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2056** -- Pensions and Retirement Benefits - As introduced, revises provisions governing participation in the Tennessee consolidated retirement system by county judges and county officials; makes other revisions regarding participation in the system. - Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36; Title 8, Chapter 37 and Section 17-2-305. by *Sargent.

On motion, House Bill No. 2056 was made to conform with **Senate Bill No. 2064**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2041** -- Driver Licenses - As introduced, allows a student enrolled in a cooperative driver training program who is seeking an exemption from the skills or knowledge tests required for commercial driver licenses to submit the third-party driver examiner testing certification form to the department within one year of satisfactorily completing the driver education and training course. - Amends TCA Title 55, Chapter 50. by *DeBerry.

On motion, House Bill No. 2041 was made to conform with **Senate Bill No. 2066**; the Senate Bill was substituted for the House Bill.

***House Joint Resolution No. 713** -- General Assembly, Statement of Intent or Position - Expresses support for a minimum mandatory school nurse to student ratio of 1:750, encourages LEAs to access grants to fund school nurses, and encourages school nurses to work in collaboration with other health care professionals. by *DeBerry, *Hardaway.

House Bill No. 2064 -- Economic and Community Development - As introduced, authorizes an industrial development corporation to acquire a hotel, motel, or apartment building for a project of the corporation located in Shelby County. - Amends TCA Section 7-53-302. by *Vaughan.

On motion, House Bill No. 2064 was made to conform with **Senate Bill No. 1736**; the Senate Bill was substituted for the House Bill.

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House Bill No. 1956 -- Veterans - As introduced, adds a representative for military veteran recipients to be appointed as a member of the statewide planning and policy council. - Amends TCA Section 33-1-401. by *Rogers.

On motion, House Bill No. 1956 was made to conform with **Senate Bill No. 1927**; the Senate Bill was substituted for the House Bill.

House Resolution No. 267 -- Memorials, Sports - Mt. Juliet League, Incorporated. by *Lynn, *Akbari, *Alexander, *Beck, *Boyd, *Brooks H, *Byrd, *Calfee, *Camper, *Carr, *Casada, *Clemmons, *Coley, *Cooper, *Crawford, *Curcio, *Daniel, *DeBerry, *Doss, *Dunn, *Eldridge, *Faison, *Farmer, *Favors, *Forgety, *Gant, *Gilmore, *Goins, *Gravitt, *Halford, *Harwell, *Hawk, *Hazlewood, *Hicks, *Holsclaw, *Howell, *Hulsey, *Johnson, *Kane, *Keisling, *Kumar, *Lamberth, *Littleton, *Lollar, *Love, *Marsh, *Matheny, *Matlock, *McCormick, *McDaniel, *Miller, *Mitchell, *Moody, *Moon, *Parkinson, *Pitts, *Powell, *Powers, *Ramsey, *Rogers, *Rudd, *Sanderson, *Sexton C, *Sexton J, *Shaw, *Smith, *Sparks, *Staples, *Terry, *Thompson, *Tillis, *Towns, *Travis, *VanHuss, *Vaughan, *Weaver, *White D, *White M, *Whitson, *Williams, *Windle, *Wirgau, *Zachary.

House Resolution No. 268 -- Memorials, Recognition - Reading Rock Books, 10th anniversary. by *Littleton.

House Joint Resolution No. 996 -- Memorials, Recognition - Cybill Shepherd. by *Coley.

House Joint Resolution No. 997 -- Memorials, Interns - Sonali D. Patel. by *White M.

House Joint Resolution No. 998 -- Memorials, Recognition - AMVETS Post 22, Sgt. Michael H. Ferschke, Jr., Memorial Post. by *Moon.

House Joint Resolution No. 999 -- Memorials, Academic Achievement - Ivory Mayorga, Salutatorian, Craigmont High School. by *Parkinson.

House Joint Resolution No. 1000 -- Memorials, Academic Achievement - Jennifer Luy, Valedictorian, Craigmont High School. by *Parkinson.

House Joint Resolution No. 1002 -- Memorials, Recognition - James Matthew Wyatt, Governor, 2018 Tennessee Intercollegiate State Legislature. by *Kumar.

House Joint Resolution No. 1005 -- Memorials, Professional Achievement - Susan Ritter, State Executive Officer of the Year. by *Pitts.

House Joint Resolution No. 1006 -- Memorials, Death - Mike Servais. by *Powell.

House Joint Resolution No. 1007 -- Memorials, Recognition - TLC Community Center, "Day of Hope and Healing". by *Moody.

House Joint Resolution No. 1009 -- Memorials, Interns - Eric Goodwin. by *Wirgau, *Carr, *Howell.

House Joint Resolution No. 1010 -- Memorials, Recognition - "Zaevion Dobson Day," May 19, 2018. by *Smith.

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House Joint Resolution No. 1011 -- Memorials, Death - Joseph E. "Joe" West. by *Mitchell.

House Joint Resolution No. 1012 -- Memorials, Interns - Katie Thomas. by *Farmer.

House Joint Resolution No. 1013 -- Memorials, Professional Achievement - Dr. Louis J. Gross, 2018 SEC Faculty Achievement Award. by *Smith.

Senate Joint Resolution No. 761 -- Memorials, Interns - Suzanne Schultz. by *Niceley.

Senate Joint Resolution No. 762 -- Memorials, Academic Achievement - Faith Julianne Bambas, Valedictorian, Heritage Christian Academy. by *Pody.

Senate Joint Resolution No. 763 -- Memorials, Academic Achievement - Mark Ward, Salutatorian, Heritage Christian Academy. by *Pody.

Senate Joint Resolution No. 764 -- Memorials, Academic Achievement - Alex Pitman, Salutatorian, Mt. Juliet Christian Academy. by *Pody.

Senate Joint Resolution No. 765 -- Memorials, Academic Achievement - Will Michael Gipson, Salutatorian, McClain Christian Academy. by *Pody.

Senate Joint Resolution No. 766 -- Memorials, Academic Achievement - Marshal Evins, Salutatorian, DeKalb County High School. by *Pody.

Senate Joint Resolution No. 767 -- Memorials, Recognition - Ralph Alexander McKee, Sr., Wilson County Agricultural Hall of Fame. by *Pody.

Senate Joint Resolution No. 768 -- Memorials, Recognition - Dr. Lanas Smith, Wilson County Agricultural Hall of Fame. by *Pody.

Senate Joint Resolution No. 769 -- Memorials, Academic Achievement - Lindsey Bowman, Salutatorian, Cannon County High School. by *Pody.

Senate Joint Resolution No. 770 -- Memorials, Academic Achievement - Hannah Hudson, Valedictorian, Red Boiling Springs High School. by *Pody.

Senate Joint Resolution No. 771 -- Memorials, Academic Achievement - Caroline Hibbett, Valedictorian, Mt. Juliet Christian Academy. by *Pody.

Senate Joint Resolution No. 772 -- Memorials, Academic Achievement - Allison Maynard, Valedictorian, DeKalb County High School. by *Pody.

Senate Joint Resolution No. 773 -- Memorials, Academic Achievement - Shianne Ashford, Valedictorian, Cannon County High School. by *Pody.

Senate Joint Resolution No. 774 -- Memorials, Academic Achievement - Lauren Jones, Salutatorian, Red Boiling Springs High School. by *Pody.

Senate Joint Resolution No. 775 -- Memorials, Retirement - Kim Trent. by *Massey.

Senate Joint Resolution No. 776 -- Memorials, Recognition - Anderson County, Boy Scouts of America, 75th anniversary. by *McNally.

Senate Joint Resolution No. 778 -- Memorials, Interns - Eric Paul Boshers. by *Norris.

Senate Joint Resolution No. 779 -- Memorials, Recognition - Dr. Ravi Singh. by *Ketron, *Reeves.

Senate Joint Resolution No. 780 -- Memorials, Interns - Katerina N. Cook. by *Southerland.

Senate Joint Resolution No. 781 -- Memorials, Recognition - Helen "Tootie" Haskins. by *Dickerson, *Bailey, *Bell, *Bowling, *Briggs, *Crowe, *Gardenhire, *Gresham, *Haile, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Massey, *Niceley, *Norris, *Pody, *Reeves, *Roberts, *Southerland, *Stevens, *Swann, *Tate, *Watson, *Yager, *Yarbro, *McNally.

Senate Joint Resolution No. 782 -- Memorials, Public Service - Senator J. Douglas Overbey. by *McNally, *Swann, *Briggs, *Massey, *Bailey, *Bell, *Bowling, *Crowe, *Dickerson, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Kyle, *Lundberg, *Niceley, *Norris, *Pody, *Reeves, *Roberts, *Southerland, *Stevens, *Tate, *Watson, *Yager, *Yarbro.

Senate Joint Resolution No. 783 -- Memorials, Retirement - Senator Bill Ketron. by *McNally, *Norris, *Reeves, *Bailey, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Kyle, *Lundberg, *Massey, *Niceley, *Pody, *Roberts, *Southerland, *Stevens, *Swann, *Tate, *Watson, *Yager, *Yarbro.

Senate Joint Resolution No. 784 -- Memorials, Public Service - Senator Jim Tracy. by *McNally, *Norris, *Ketron, *Reeves, *Bailey, *Bell, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Kyle, *Lundberg, *Massey, *Niceley, *Pody, *Roberts, *Southerland, *Stevens, *Swann, *Tate, *Watson, *Yager, *Yarbro.

Senate Joint Resolution No. 786 -- Memorials, Death - Nancy Ivy McCraw. by *Gresham.

Rep. Pitts moved that all members voting aye on House Joint Resolution No. 1005 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, M. Hill, T. Hill, Holt, Ragan, Reedy and Sherrell.

Rep. Lynn moved that all members voting aye on House Resolution No. 267 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, M. Hill, T. Hill, Holt, Ragan, Reedy and Sherrell.

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Rep. Eldridge moved that all members voting aye on Senate Joint Resolution No. 781 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, M. Hill, T. Hill, Holt, Ragan, Reedy and Sherrell.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 89
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 89

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 2325** -- Public Employees - As introduced, requires the district attorneys general conference to report to the general assembly in January of each year with recommendations on combating opiate abuse, including recommended legislation to address law enforcement concerns raised by opioid abuse. - Amends TCA Title 8 and Title 16. by *Keisling. (SB2677 by *Bailey)

Further consideration of House Bill No. 2325, previously considered on March 19, 2018, at which time it was reset for today's Calendar.

Rep. Keisling moved that **House Bill No. 2325** be reset for the next available Regular Calendar, which motion prevailed.

House Bill No. 1847 -- Election Laws - As introduced, requires political communications through a social media platform to indicate the person, candidate, or political committee who paid for and, as applicable, authorized the communication. - Amends TCA Section 2-19-120. by *Powell, *Hardaway. (*SB1635 by *Yarbro)

Further consideration of House Bill No. 1847, previously considered on March 12, 2018 and March 26, 2018, at which time it was reset for today's Calendar.

MONDAY, APRIL 2, 2018 -- SIXTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Powell moved that **House Bill No. 1847** be reset for the Regular Calendar on April 16, 2018, which motion prevailed.

***House Bill No. 1738** -- Education, Higher - As introduced, identifies when a member of a governing board has a conflict of interest involving a state institution of higher education governed by the board; prohibits a governing board member from accepting or soliciting anything of value in excess of \$250 from an institution governed by the board; prohibits certain persons from serving as a governing board member. - Amends TCA Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9. by *Daniel, *Rogers. (SB1754 by *Gardenhire, *Gresham)

Further consideration of House Bill No. 1738, previously considered on March 26, 2018, at which time the House adopted Amendment No. 1, and it was reset for today's Calendar.

BILLS WITHDRAWN

On motion of Rep. Daniel, **House Bill No. 1738** was recalled from the House.

REGULAR CALENDAR, CONTINUED

House Bill No. 1968 -- Education - As introduced, requires the commissioner of education to notify LEAs when the office of research and education accountability publishes a report germane to K-12 education. - Amends TCA Title 49. by *Rudd, *Dunn. (*SB1618 by *Gresham, *Stevens)

Further consideration of House Bill No. 1968, previously considered on March 26, 2018, at which time the House adopted Amendment No. 1, and it was reset for today's Calendar.

On motion, House Bill No. 1968 was made to conform with **Senate Bill No. 1618**; the Senate Bill was substituted for the House Bill.

Rep. Rudd moved that **Senate Bill No. 1618** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	79
Noes.....	7
Present and not voting.....	2

Representatives voting aye were: Akbari, Alexander, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Casada, Coley, Cooper, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Moon, Pitts, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madame Speaker Harwell -- 79

Representatives voting no were: Clemmons, Mitchell, Parkinson, Powell, Stewart, Thompson, Windle -- 7

3716

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

Representatives present and not voting were: DeBerry, Gilmore -- 2

A motion to reconsider was tabled.

***House Bill No. 2082** -- Museums - As introduced, generalizes location of the state museum to Nashville instead of the James K. Polk State Office Building and War Memorial Building. - Amends TCA Title 4, Chapter 12, Part 1. by *McDaniel. (SB2654 by *Watson)

Rep. McDaniel moved that House Bill No. 2082 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2082 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-12-104, is amended by deleting the section and substituting instead the following:

(a) The museum shall occupy space in Nashville at the James K. Polk State Office Building and Cultural Complex, on the ground floor of the south wing of the War Memorial Building, and at 1000 Rosa L. Parks Boulevard. All three (3) facilities shall be open on days and during hours as determined by the Douglas Henry state museum commission.

(b) The Douglas Henry state museum commission is authorized to name any portion or portions of the museum.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. McDaniel moved that **House Bill No. 2082**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey,

Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 91

A motion to reconsider was tabled.

***House Bill No. 1823** -- Child Custody and Support - As introduced, conditions courts' authority to order acquisition and maintenance of health insurance coverage under a child support award upon the availability of reasonable and affordable health insurance. - Amends TCA Section 36-5-101. by *Hawk, *Casada, *Moody, *Staples. (SB2248 by *Norris, *Watson, *Haile)

On motion, House Bill No. 1823 was made to conform with **Senate Bill No. 2248**; the Senate Bill was substituted for the House Bill.

Rep. Moody moved that **Senate Bill No. 2248** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 90

A motion to reconsider was tabled.

House Bill No. 2520 -- Sentencing - As introduced, prohibits a sentencing court from making a sentencing determination based in whole or in part on defendant's consent or refusal to consent to any form of temporary or permanent birth control, sterilization, or family planning services, regardless of whether the defendant's consent is voluntarily given. - Amends TCA Title 40. by *Akbari, *Gilmore. (*SB2133 by *Kelsey, *Harris, *Yarbro)

BILL RE-REFERRED

Rep. Williams moved that **House Bill No. 2520** be re-referred to the Criminal Justice Committee, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1240** -- Education - As introduced, removes requirement that THEC and the department of health report to the education committees of the general assembly in 2010, 2012, and 2013 regarding the Tennessee rural health scholarship pilot program. - Amends TCA Title 49. by *Akbari, *Love. (SB1386 by *Tate, *Crowe, *Haile, *Gresham, *Jackson, *Niceley, *Norris, *Watson)

On motion, House Bill No. 1240 was made to conform with **Senate Bill No. 1386**; the Senate Bill was substituted for the House Bill.

Rep. Akbari moved that Senate Bill No. 1386 be passed on third and final consideration.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Akbari moved that **Senate Bill No. 1386** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 92

Representatives present and not voting were: Mitchell -- 1

A motion to reconsider was tabled.

***House Bill No. 1862** -- Criminal Procedure - As introduced, lowers the expunction fee from \$350 to \$180 for a defendant whose charge was dismissed due to successful completion of a pretrial diversion program. - Amends TCA Section 40-32-101. by *Akbari, *Lamberth, *Camper, *Cooper. (SB2626 by *Norris)

Rep. Akbari moved that **House Bill No. 1862** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes.....	0
Present and not voting.....	3

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulse, Jernigan, Johnson, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 89

Representatives present and not voting were: Crawford, Mitchell, Rudd -- 3

A motion to reconsider was tabled.

***House Bill No. 1975** -- Business and Commerce - As introduced, removes from TCA a status report on a web page project by the office of small business advocate to the commerce and labor committee of the senate and the business and utilities committee of the house of representatives that was due no later than February 15, 2013. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 12; Title 47; Title 48; Title 61 and Title 67. by *Moon, *Ramsey, *Carr , *Forgety. (SB2212 by *Swann)

Rep. Moon moved that House Bill No. 1975 be passed on third and final consideration.

Rep. Marsh moved adoption of Business and Utilities Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1975 by deleting all language after the caption and substituting instead the following:

WHEREAS, Tennessee law requires nonprofit corporations organized under the Tennessee Nonprofit Corporation Act to use their assets to fulfill their charitable purposes and not for the benefit of private parties; and

WHEREAS, certain nonprofit corporations organized and operated under Tennessee law are licensed or chartered as regional or local chapters, councils, or other

designations, by separate legal entities in the form of nonprofit foreign corporations operating nationally; and

WHEREAS, the terms of some of these license or charter agreements reflect a profound imbalance of power that fails to give regard to the legitimate interests and charitable purposes of Tennessee nonprofit corporations; and

WHEREAS, the General Assembly has a significant interest in protecting the assets of Tennessee nonprofit corporations; and

WHEREAS, it is the intent of the General Assembly that Tennessee nonprofit corporations be protected from risk of loss of their licenses or charters from national nonprofit corporations for reasons that are not based on good cause; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 48, Chapter 53, is amended by adding the following as a new part:

(a) This part shall be known and may be cited as the "Nonprofit Fair Asset Protection Act."

(b) Notwithstanding any provision of law to the contrary, it is unlawful for:

(1) A national nonprofit corporation that has received a charter under 36 U.S.C. Subt. II, Pt. B, to terminate, revoke, suspend, or fail to renew a license or charter affiliating a Tennessee nonprofit corporation with the national nonprofit corporation absent good cause;

(2) A national nonprofit corporation that has received a charter under 36 U.S.C. Subt. II, Pt. B, to discriminate against a licensed or chartered affiliated Tennessee nonprofit corporation by imposing requirements not imposed on other similarly situated affiliates of the national nonprofit corporation; or

(3) A national nonprofit corporation that has received a charter under 36 U.S.C. Subt. II, Pt. B, to act indirectly to accomplish what would be otherwise prohibited under this part.

(c) For the purpose of this part, "good cause" means to exclude any refusal or failure by the Tennessee nonprofit corporation to make purchases of or to contract to make purchases of goods or services where the board of directors of the Tennessee nonprofit corporation determines, according to the standards set forth in § 48-58-301, that making a purchase or contracting to make a purchase is not in the best interest of the Tennessee nonprofit corporation or is commercially unreasonable.

(d) Any condition, stipulation, provision, or term of any agreement that is in conflict with this part or that would purport to waive or restrict the application of any provision of this part is void and unenforceable.

(e) Nothing in this part abrogates or amends the standards for directors set forth in § 48-58-301.

(f) In addition to any other remedies or rights of actions, a Tennessee nonprofit corporation that is injured by a violation or threatened violation of this part may bring a private right of action for injunctive relief and to recover costs and reasonable attorneys' fees if the Tennessee nonprofit corporation is the prevailing party in the action.

(g) All ordinances, resolutions, rules, or requirements of any type that are in conflict with this part are void and unenforceable.

SECTION 2. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Business and Utilities Committee Amendment No. 1 was adopted.

Rep. Moon moved that **House Bill No. 1975**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 93

A motion to reconsider was tabled.

***House Joint Resolution No. 715** -- General Assembly, Confirmation of Appointment - Kay Kelsey, State Textbook and Instructional Materials Quality Commission. by *White M.

On motion, **Senate Joint Resolution No. 546** was substituted for House Joint Resolution No. 715.

Rep. M. White moved to concur in **Senate Joint Resolution No. 546**, which motion prevailed by the following vote:

Ayes 83
Noes 5

Representatives voting aye were: Akbari, Alexander, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Coley, Cooper, Crawford, Curcio, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Keisling, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Moon, Pitts, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 83

Representatives voting no were: Clemmons, Mitchell, Parkinson, Powell, Stewart -- 5

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Rep. Hardaway was recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

House Bill No. 2423 -- Planning, Public - As introduced, extends application of the Neighborhood Preservation Act to include any county or municipality that has formed a land bank. - Amends TCA Title 13 and Title 67. by *White M, *Brooks K. (*SB2126 by *Jackson, *Gardenhire, *Stevens)

Rep. M. White moved that House Bill No. 2423 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2423 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 13-6-102, is amended by deleting the section and substituting instead the following:

As used in this chapter, unless the context otherwise requires:

(1) "Abate" or "abatement" in connection with any building means the removal or correction of any conditions that constitute a public nuisance and the making of any other improvements that are needed to effect such a rehabilitation of the building as is consistent with maintaining safe and habitable conditions over its remaining useful life;

(2) "Acceptable petitioner" means:

(A) Any nonprofit corporation;

(B) The municipal corporation within which such subject parcel is located;

(C) The owner or legal occupant of a parcel of real property that is adversely impacted by the condition of the subject parcel; or

(D) Any interested person;

(3) "Building" means any building or structure that is located on the subject parcel;

(4) "Certified person" means any person determined by the court pursuant to Section 4 to be qualified as a receiver or a qualified buyer;

(5) "Dwelling unit" means a building or the part of a building that is intended to be used as a home, residence, or sleeping place;

(6) "Governmental authority" means any court or governmental, administrative, legislative, regulatory, adjudicatory, or arbitral body, agency, commission, department, board, bureau, tribunal, or instrumentality of the United States or of any state, commonwealth, nation, territory, possession, county, parish, or municipality, whether now or hereafter constituted or existing, having or claiming jurisdiction over the subject parcel;

(7) "Interested person" means, with respect to a subject parcel, any owner, named trustee, or other person that:

(A) Holds, or is the assignee of the holder of, a lien against that subject parcel;

(B) Is named as a nominee or agent of the holder of an obligation that is secured by a deed or a deed of trust affecting such subject parcel;

(C) Holds the benefit of an easement appurtenant to such subject parcel;

(D) Holds the benefit of a restrictive real covenant against such subject parcel; or

(E) Possesses an interest of record in or to such subject parcel;

(8) "Municipal corporation" means any incorporated city or any county, including any county having a metropolitan form of government, and the code enforcement department or agency or other unit responsible for enforcing building and property conditions in the territorial jurisdiction of the city or county;

(9) "Nonprofit corporation" means any nonprofit corporation that has been duly organized and is in good standing under the laws of this state;

(10) "Owner" means one (1) or more persons, jointly or severally, in whom is vested all or part of the legal title to, or beneficial ownership of, the subject parcel;

(11) "Person" means any individual, firm, corporation, association, trust, partnership, joint venture, limited liability company, governmental authority, or other entity;

(12) "Public nuisance" means any building that is:

(A) A menace to the public health, welfare, or safety;

(B) Structurally unsafe, unsanitary, or not provided with adequate safe egress;

(C) A fire hazard, dangerous to human life, or no longer fit and habitable;

(D) A nuisance, as defined in § 29-3-101; or

(E) Otherwise determined by the court or a municipal corporation to be a violation of any local building, housing, air pollution, sanitation, health, fire, zoning, or safety code, ordinance, or regulation applicable to any subject parcel;

(13) "Qualified buyer" means any person determined by the court to be a certified person as provided in Section 4;

(14) "Receiver" means any certified person appointed by the court for the purpose of preserving or improving the subject parcel and all of the powers of a receiver appointed for tax enforcement pursuant to § 67-5-2103 are, as applicable, the powers of a receiver appointed pursuant to this chapter;

(15) "Receiver's lien" means a first priority lien in favor of the receiver against the subject parcel that, with regard to the subject parcel, upon approval of the court, secures:

(A) Any and all direct and indirect expenses and costs incurred by the receiver, including reasonable attorney's fees and costs;

(B) Any and all outstanding municipal fines, penalties, expenditures, and assessments;

(C) Any and all amounts attributable to state and local taxes and assessments, including any and all outstanding amounts secured by delinquent property tax liens; and

(D) A fee, payable to the receiver, equal to ten percent (10%) of the total of the amounts provided under subdivision (15)(A), but in no event less than two thousand five hundred dollars (\$2,500);

(16) "Residential property" means a subject parcel that includes one (1) or more dwelling units that is owner-occupied and the owner's principal place of residence, or that is otherwise intended for single-family residential use;

(17) "Residential rental property" means a building or structure consisting of one (1) or two (2) dwelling units; and

(18) "Subject parcel" means a tract or item of real or personal property that becomes subject to the jurisdiction of a court pursuant to this chapter.

SECTION 2. Tennessee Code Annotated, Section 13-6-105, is amended by deleting the section and substituting instead the following:

This chapter shall apply:

(1) In any county having a metropolitan form of government that has a population in excess of five hundred thousand (500,000), according to the 2000 federal census or any subsequent federal census;

(2) In any county having a population in excess of eight hundred thousand (800,000), according to the 2000 federal census or any subsequent federal census;

(3) In any county having a population of not less than ninety-eight thousand two hundred (98,200) nor more than ninety-eight thousand three hundred (98,300), according to the 2010 federal census or any subsequent federal census; and

(4) In any county or municipality that has formed a land bank pursuant to § 13-30-104.

SECTION 3. Tennessee Code Annotated, Section 13-6-106, is amended by deleting the section and substituting instead the following:

(a) An acceptable petitioner may file a petition for a judgment in rem against a subject parcel, naming the subject parcel as the defendant and seeking an order that the subject parcel is a public nuisance and for the abatement of the public nuisance. A proceeding pursuant to this section shall be a proceeding in rem. If the applicable municipal corporation is not the acceptable petitioner, then the applicable municipal corporation shall be put on notice of the in rem proceeding and provided with a full copy of the petition as filed by the acceptable petitioner. If the acceptable petitioner has not attached a certificate of public nuisance to the petition, the municipal corporation shall complete an inspection of the subject parcel within thirty (30) calendar days after the first setting of the matter in court, and the court shall promptly schedule a hearing on the issue of public nuisance. At the conclusion of the hearing on the issue of public nuisance, the court shall determine whether or not the issuance of a certificate of public nuisance is warranted. The court shall dismiss the action if the subject parcel is found not to be a public nuisance by the court.

(b) The petition filed pursuant to subsection (a) must include a draft order of compliance setting forth the relief requested as described in this section and shall specifically request the appointment of a receiver if an order of compliance pursuant to subsection (e) is entered and if the owner fails to comply with such order.

(c) The filing of a petition for a judgment in rem pursuant to subsection (a) shall:

(1) Create a receiver's lien that secures an undetermined amount until the court establishes the amount. The precise amount of the receiver's lien will be established by the court at any time upon the request of any owner, interested person, or the receiver. The receiver's lien shall be a first lien on the subject parcel, which is superior to all prior and subsequent liens or other encumbrances associated with the subject parcel. The acceptable petitioner shall file for record in the register's office of the county an abstract certified by the clerk, within one (1) day of certification by the clerk, containing the names of the parties to the suit, a statement that petition has been filed pursuant to this section, a

description of the subject parcel and its ownership, and a brief statement of the nature and amount of the lien sought to be imposed, all in compliance with § 20-3-101, which filing shall act as a lien lis pendens against the subject parcel. The outstanding principal amount of the receiver's lien carries interest at a standard statutory rate applicable to judgment liens as provided in § 67-5-2010;

(2) Act as a bar of any transfer of title of the subject parcel or of any interests pertaining to such subject parcel, including, but not limited to, transfers by tax sale or other foreclosure, transfers or creation of lien interests in the subject parcel, or otherwise, from the date of the filing until the petition is dismissed or until specific orders of the court authorizing a transfer of title, if the petition has attached a certificate of public nuisance issued pursuant to subsection (a); and

(3) Authorize the municipal corporation, in its discretion, to access the subject parcel for boarding, securing, and maintaining the subject parcel at any time if it has been determined by the court that the owner has failed to do so. Any costs incurred by the municipal corporation shall be charged to the owner.

(d) Notice of a petition for a judgment in rem filed pursuant to subsection (a) shall, at a minimum, be provided to each owner and interested person identified by a thorough title search and examination of the subject parcel, including a search of court records of the county where the subject parcel is located. The petitioner shall file with the court a certification that notice has been provided pursuant to this subsection. Notice shall be provided by:

(1) Sending a copy of the petition by first-class mail to the last known address of record;

(2) Posting a copy of the petition in a conspicuous place on the building;

(3) Publication of the petition in a newspaper of general circulation published in the county where the subject parcel is located; and

(4) Sending a copy of the petition by first-class mail addressed to "occupant" at the subject parcel.

(e) If the subject parcel is found to be a public nuisance, the court shall issue an order of compliance requiring the owner of the subject parcel to produce a plan for the abatement of the public nuisance. The acceptable petitioner shall file such order in the register's office of the county where the subject parcel is located. The plan must comply with subsection (h) and must be approved by the court. If the owner has commenced work on the subject parcel prior to, or during the pendency of the action, the owner is required to provide a report of the work that has been completed to date, as well as a plan for the abatement of the public nuisance. Once a plan is approved by the court, the municipal corporation

shall provide periodic updates to the court on the owner's progress towards completion of the plan and other relevant information about the subject parcel and surrounding area. Upon a finding by the court that the subject parcel is a public nuisance, the court may award all reasonable attorney's fees and costs to the person filing the petition for a judgment in rem.

(f) If the owner fails to comply with the court's order of compliance pursuant to subsection (e), the court may allow an interested person the opportunity to undertake the work to abate the public nuisance pursuant to a plan that complies with subsection (h) submitted by such interested person.

(g) If the actions pursuant to subsections (e) and (f) fail to abate the public nuisance, the court may authorize a receiver to take possession and control of the subject parcel to abate the public nuisance pursuant to a plan submitted by such receiver that complies with subsection (h). A receiver appointed pursuant to this chapter is not personally liable for actions taken pursuant to the receivership except for misfeasance, malfeasance, or nonfeasance in the performance of the functions of the office.

(h)

(1) Prior to ordering any action be taken to abate the public nuisance, the court shall cause a detailed development plan to be submitted for review, which must include, but is not limited to:

(A) A detailed budget for abating the public nuisance;

(B) A projected timeline for abating the public nuisance;

(C) If repair and rehabilitation of the subject parcel are found not to be feasible, the cost of demolition of the subject parcel or of the portions of the subject parcel that constitute the public nuisance; and

(D) The terms, conditions, and availability of any financing that is necessary to abate the public nuisance or a show of sufficient assets.

(2) If the receiver is submitting the plan, the receiver may petition the court for authority to conduct an auction and sale to a qualified buyer, in accordance with subsection (j), without abatement of the public nuisance upon showing that the terms of the auction minimum bid will include a bond or other security, in an amount fixed by the court, ensuring performance of the remediation within nine (9) months of the date of the auction sale, executed by the qualified buyer in favor of the receiver.

(i)

(1) If the court deems a plan submitted by a receiver to be sufficient and appropriate, the court may empower the receiver to:

(A) Take possession and control of the subject parcel;

(B) Pay all expenses of operating and conserving the subject parcel, including obtaining property insurance;

(C) Pay prereceivership mortgages or installments of such mortgages and other liens; and

(D) Implement the plan; provided, that, if the plan requires demolition, the court shall order that the demolition be done properly and in compliance with applicable laws.

(2) The receiver shall file a report with the court every sixty (60) calendar days and, upon completion of the detailed development plan, shall file a final report with the court indicating that the public nuisance has been abated and moving for the establishment of the full amount of the receiver's lien. Upon a finding by the court that the public nuisance has been abated and establishing the amount of the receiver's lien, the owner shall be put on notice that the owner has thirty (30) days from such finding to satisfy the receiver's lien in full. If the owner satisfies the receiver's lien in full during such time, the receivership shall be terminated by order of the court.

(j) If the receiver's lien is not satisfied by the owner pursuant to subdivision (i)(2), the court shall direct the receiver to offer the subject parcel for sale in accordance with the following:

(1) The sales procedure shall follow the procedures provided in §§ 35-5-101 - 35-5-109;

(2) The minimum bid at a receiver's lien sale shall be the full amount of the receiver's lien;

(3) If any local land bank formed pursuant to § 13-30-104 notifies the receiver in writing in advance of the receiver's lien sale that it wishes to enter the minimum bid for cash for the subject parcel, then such minimum bid shall preempt all other bids, and the local land bank shall be the prevailing bidder;

(4) If there is no bidder at the receiver's lien auction for greater than the minimum bid, the subject parcel shall be transferred by receiver's deed to the receiver, and there shall be no requirement of cash payment of the minimum bid by the receiver;

(5) When the successful bid is paid in cash, the amount of the minimum bid is paid to satisfy the receiver's lien, including payment to the

appropriate property tax officials, of that portion of the receiver's lien that constituted delinquent property taxes. Any surplus shall be distributed, as approved by the court, to the owner and interested persons in the priority in which their interests encumbered the subject parcel prior to the auction; and

(6) The receiver shall report the prevailing bid at the sale to the court, and upon approval by the court, a receiver's deed shall be issued to the successful bidder and promptly recorded in the office of the register of deeds. The county trustee shall be allowed a credit pursuant to § 67-5-1903(b)(1) for any local taxes and assessments that are not collected as a result of the failure of the receiver's lien sale to receive a cash payment for the minimum bid pursuant to subdivision (j)(2). Title shall be absolute in the purchaser, and the interests of any interested persons prior to the auction shall be terminated as of the date of the sale. The receivership shall be terminated after the sale by order of the court after a hearing on receiver's motion for termination of the receivership.

(k)

(1) Nothing in this chapter limits the powers granted to a court having jurisdiction pursuant to § 13-6-107.

(2) The monetary and other limitations specified in § 16-15-501(d)(1) upon any court with jurisdiction over an action described in subsection (a) do not operate as limitations upon any of the following:

(A) Expenditures of a mortgagee, lienholder, other interested person, or receiver that has been selected pursuant to subsection (f) or (g) to undertake the work and to furnish the materials necessary to abate a public nuisance;

(B) Any notes issued by a receiver;

(C) Any mortgage granted by a receiver;

(D) Expenditures in connection with the foreclosure of a mortgage granted by a receiver in accordance with subsection (i);

(E) The enforcement of an order of a judge entered pursuant to this chapter; or

(F) The actions that may be taken pursuant to this chapter by a receiver or a mortgagee, lienholder, or other interested person that has been selected pursuant to subsection (f) or (g) to undertake the work and to furnish the materials necessary to abate a public nuisance.

(3) A judge in a civil action described in subsection (a), or the judge's successor in office, has continuing jurisdiction to review and order correction of the condition of any subject parcel that was determined to be a public nuisance pursuant to this chapter.

SECTION 4. Tennessee Code Annotated, Title 13, Chapter 6, is amended by adding the following as a new section:

(a) Any person seeking to be qualified as a certified person shall make application to the applicable court in the county in which such person seeks to serve, on such form and according to such standards and procedures as such court reasonably may require, including the following, which the court may require to be brought current at any time, as applicable:

(1) An external verification of good standing;

(2) The articles of incorporation and bylaws or formation documents;

(3) Evidence of financial capacity to carry out an abatement plan, including audited financial statements of the person for the past five (5) years, where applicable;

(4) A formal conflict of interest policy governing the staff, officers, and the board of directors, if applicable;

(5) Evidence of the administrative capacity to successfully undertake the abatement plan; and

(6) Any other documents, evidence, or assurances that the court may require.

(b) Any local land bank formed pursuant to §13-30-104 is a certified person for all purposes under this chapter. In the court's discretion, an acceptable petitioner may also be qualified as a certified person who is appointed as a receiver.

SECTION 5. Tennessee Code Annotated, Section 13-30-102, is amended by deleting subdivision (6).

SECTION 6. Tennessee Code Annotated, Section 13-30-110, is amended by adding the following new subsections:

(f)

(1) The corporation may provide written notice to the clerk and master in advance of any delinquent property tax sale auction held pursuant to § 67-5-2005(b) that it wishes to enter the minimum bid for cash for any parcel advertised for sale in such auction, and such

minimum bid shall preempt all other bids for said parcel, and the local land bank shall be the prevailing bidder.

(2) If there are no other bidders on a parcel under subdivision (f)(1), such minimum bid shall be accepted for no cash, and the local land bank shall be the prevailing bidder and take title to said parcel in the same manner as a municipality bidding the minimum bid.

(g) Commencing upon the date of transfer of any real property from a land bank to a taxable person or entity, if approved by local government, the land bank shall be entitled to receive payments from the local government equal to fifty percent (50%) of real property taxes collected by the local government for a period of five (5) years.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. M. White moved that **House Bill No. 2423**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 2434 -- Education, Higher - As introduced, requires governing boards of state institutions of higher education to adopt policies addressing management of student debts or obligations owed directly to the state institutions; removes a requirement that state institutions withhold diplomas, certificates of credit, or grade reports if the student has an outstanding debt to the institution of more than \$25.00. - Amends TCA Title 49, Chapter 7, Part 1 and Section 49-9-108. by *White M. (*SB2174 by *Gardenhire)

On motion, House Bill No. 2434 was made to conform with **Senate Bill No. 2174**; the Senate Bill was substituted for the House Bill.

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Rep. M. White moved that Senate Bill No. 2174 be passed on third and final consideration.

Rep. H. Brooks moved that Education Administration & Planning Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. M. White moved that **Senate Bill No. 2174** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 2170 -- Utilities, Utility Districts - As introduced, deletes reference to the abolished state planning office to which a county is required to submit a plan of services prior to adopting a resolution establishing urban type public facilities in the county when there is no other planning commission to submit such plan. - Amends TCA Title 5, Chapter 16. by *Lollar. (*SB2068 by *Kelsey)

On motion, House Bill No. 2170 was made to conform with **Senate Bill No. 2068**; the Senate Bill was substituted for the House Bill.

Rep. Lollar moved that Senate Bill No. 2068 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lollar moved that **Senate Bill No. 2068** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson,

MONDAY, APRIL 2, 2018 -- SIXTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION

Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 93

A motion to reconsider was tabled.

House Bill No. 2412 -- Professions and Occupations - As introduced, establishes a medical hardship exemption to the requirement that certain licensed professionals who are delinquent or in default on student loan payments have their licenses revoked. - Amends TCA Title 3; Title 23; Title 49; Title 56 and Title 63. by *Lollar. (*SB2306 by *Harris)

On motion, House Bill No. 2412 was made to conform with **Senate Bill No. 2306**; the Senate Bill was substituted for the House Bill.

Rep. Lollar moved that Senate Bill No. 2306 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lollar moved that **Senate Bill No. 2306** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 94

A motion to reconsider was tabled.

***House Bill No. 75** -- Education - As introduced, changes the number of days' notice that must be given by an LEA before accepting bids for construction of or additions to school buildings from 10 days to 10 business days. - Amends TCA Title 49. by *Kane. (SB578 by *Gresham)

Rep. Kane moved that House Bill No. 75 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

Amendment No. 1

3735

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

AMEND House Bill No. 75 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-1-302(a)(5)(A)(iv), is amended by deleting the subdivision and substituting instead the following:

Discipline of licensed personnel for misconduct by formal reprimand or by the suspension and revocation of licenses and certificates; provided, that the policies provide licensed personnel with timely due process and are otherwise in compliance with the due process requirements of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5;

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. Faison moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Kane moved that **House Bill No. 75**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 93

A motion to reconsider was tabled.

***House Bill No. 1929** -- Zoning - As introduced, reduces from eight to six the number of unrelated persons with disabilities who may reside in a home classified under any Tennessee zoning law as a "single family residence"; authorizes municipalities to adopt an ordinance requiring sober living homes to provide notification to the municipality of certain information regarding the home and establish and comply with an operational plan. - Amends TCA Title 13, Chapter 24, Part 1. by *Curcio, *Love. (SB2214 by *Swann)

Rep. Curcio moved that House Bill No. 1929 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1929 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Stopping Addiction and Fostering Excellence (SAFE) Act."

SECTION 2. Tennessee Code Annotated, Title 13, Chapter 24, Part 1, is amended by adding the following new section:

(a) As used in this section:

(1) "Municipality" means an incorporated city or town, or a county with a metropolitan form of government; and

(2)

(A) "Sober living home" means any home classified as a "single family residence" under § 13-24-102 that provides alcohol-free or drug-free housing, promotes independent living, life skill development, and reintegration, and provides structured activities that are directed primarily toward a group of unrelated individuals who are recovering from drug or alcohol addiction and who may be receiving outpatient healthcare services for substance abuse or addiction treatment while living in the home;

(B) "Sober living home" does not mean:

(i) A home that is chartered by a 501(c)(3) nonprofit organization that:

(a) Serves as an umbrella organization and organizes homes into chapters; and

(b) Is governed by a council and board of directors that maintain the sole right to charter, and revoke the charter of, a home;

(ii) A home that is an affiliate of a 501(c)(3) nonprofit organization located in this state that:

(a) Pre-screens new affiliates;

(b) Requires affiliates to adhere to a code of ethics; and

(c) Requires affiliates to make an annual contribution based on the number of recovery residences; or

(iii) A home or facility that is licensed or funded by the department of mental health and substance abuse services.

(b) A municipality may adopt an ordinance requiring each sober living home to display in a prominent place within the sober living home, a sign at least eleven inches (11") in height and seventeen inches (17") in width stating:

NOTICE: THIS IS A SOBER LIVING HOME THAT PROVIDES HOUSING TO MEN AND/OR WOMEN WHO DO NOT REQUIRE MORE STRUCTURED TREATMENT ENVIRONMENTS. THIS HOME PROMOTES INDEPENDENT LIVING, LIFE SKILL DEVELOPMENT, AND REINTEGRATION. THIS HOME IS DESIGNED TO ASSIST MEN AND/OR WOMEN TO RECOVER FROM DRUG OR ALCOHOL ADDICTION. **THIS HOME IS NOT LICENSED OR FUNDED BY THE TENNESSEE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES** AS IT IS PRIVATELY FUNDED AND DOES NOT PROVIDE TREATMENT SERVICES.

IF YOU ARE IN NEED OF TREATMENT SERVICES, PLEASE CALL THE TENNESSEE REDLINE AT 1-800-889-9789.

IF YOU WOULD LIKE ADDITIONAL INFORMATION REGARDING ADDITIONAL SUBSTANCE ABUSE SERVICES AND RESOURCES, INCLUDING SOBER LIVING OPTIONS, PLEASE VISIT THE TENNESSEE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES WEBSITE AT <https://www.tn.gov/behavioral-health.html>. THIS IS A NOTICE POSTED PURSUANT TO [MUNICIPALITY CODE REFERENCE].

(c) A municipality shall display in the city hall or other building which houses the municipality's seat of local government, a sign at least eleven inches (11") in height and seventeen inches (17") in width stating:

PURSUANT TO TENNESSEE CODE ANNOTATED § 33-2-405, IT IS UNLAWFUL FOR A PERSON, PARTNERSHIP, ASSOCIATION, OR CORPORATION TO OWN OR OPERATE A SERVICE OR FACILITY THAT PROVIDES ALCOHOL AND DRUG ABUSE PREVENTION AND/OR TREATMENT WITHIN THE MEANING OF TITLE 33 OF THE TENNESSEE CODE ANNOTATED WITHOUT HAVING OBTAINED A LICENSE. A VIOLATION OF THIS REQUIREMENT IS A CLASS B MISDEMEANOR. EACH DAY OF OPERATION WITHOUT A LICENSE CONSTITUTES A SEPARATE OFFENSE. REPORT ANY SUSPECTED UNLICENSED ALCOHOL AND DRUG

ABUSE PREVENTION AND/OR TREATMENT SERVICES TO THE TENNESSEE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES' OFFICE OF LICENSURE BY DIALING [WEST TENNESSEE LICENSURE OFFICE PHONE NUMBER; MIDDLE TENNESSEE LICENSURE OFFICE PHONE NUMBER; OR EAST TENNESSEE LICENSURE OFFICE PHONE NUMBER, AS APPLICABLE TO THE LOCATION OF THE MUNICIPALITY].

(d) If a municipality maintains a website, the notice required under subsection (c) must be placed prominently on the municipality's website.

(e) A municipality may adopt an ordinance encouraging sober living homes to:

(1) Become chartered by an organization described under (a)(2)(B)(i); or

(2) Comply with the requirements for recovery residences prescribed by an organization described under subdivision (a)(2)(B)(ii).

(f) Any ordinance adopted under this section must comply with the Fair Housing Act, 42 U.S.C. § 3601 et seq., and the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq.

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Curcio moved that **House Bill No. 1929**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Staples, Stewart, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 93

Representatives present and not voting were: Sparks -- 1

A motion to reconsider was tabled.

House Bill No. 2706 -- Dickson County - Subject to local approval, removes probate and conservatorship jurisdiction from the Probate and Juvenile Court of Dickson County; renames court Juvenile Court of Dickson County. - Amends Chapter 267 of the Private Acts of 1982. by *Curcio. (*SB2734 by *Roberts)

Rep. Curcio moved that House Bill No. 2706 be passed on third and final consideration.
Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2706 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Chapter 267 of the Private Acts of 1982, and any other acts amendatory thereto, is amended by deleting the language "Probate and" from Section 1 wherever it may appear.

SECTION 2. Chapter 267 of the Private Acts of 1982, and any other acts amendatory thereto, is amended by deleting Section 2 and substituting instead the following:

SECTION 2. Such court shall have jurisdiction over all matters over which jurisdiction is now or shall hereafter be vested in Juvenile Courts by the general laws of the State of Tennessee, including, but not limited to, the jurisdiction as now vested in the County Court of Dickson County, Tennessee, by the general laws of the state and those judicial powers vested in the County Judge of Dickson County, Tennessee, by Public or Private Acts, and by Title 34, Chapters 1 and 2, only as those provisions relate to juveniles, and Tennessee Code Annotated, Title 37, Chapters 1 through 17, inclusive; all to the extent that under such laws the jurisdiction thereunder was vested heretofore in any Juvenile Court or any County Court or any court exercising the jurisdiction thereof formerly known as a Quorum County Court or Monthly County Court.

SECTION 3. Chapter 267 of the Private Acts of 1982, and any other acts amendatory thereto, is amended by deleting Section 4 and substituting instead the following:

SECTION 4. The County Clerk of Dickson County, Tennessee, shall act as the Clerk of the Juvenile Court of Dickson County, Tennessee, as herein established and when acting as clerk or such court, shall be designated as the "Clerk of the Juvenile Court of Dickson County, Tennessee." Such clerk shall acquire and maintain a seal for the court containing the designation "Clerk of the Juvenile Court of Dickson County, Tennessee" and such minute books and other necessary records for such court as shall be necessary and required. The clerk shall charge all fees

and be entitled to receive such fees and charges as shall be fixed by the general laws of the State of Tennessee from time to time for any county or Juvenile Court in the State of Tennessee, and which such fees when collected shall be accounted for and disbursed as all fees and charges are similarly done by such courts. The County Clerk shall be empowered to designate one or more persons employed by him as deputies from time to time to be a deputy clerk for the court herein created.

SECTION 4. Chapter 267 of the Private Acts of 1982, and any other acts amendatory thereto, is amended by deleting from **SECTION 6** the language ", or any contests of any will being probated therein,".

SECTION 5. All unfinished and pending probate matters in the Probate and Juvenile Court prior to the effective date of this act shall be transferred to the Chancery Court in Dickson County not later than the close of business on the day preceding the effective date of this act. On or before the effective date of this act, all official books, records, and other documents pertaining to any probate matter of the Probate and Juvenile Court shall be delivered to the Chancery Court.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Dickson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective on September 1, 2018, after being approved as provided in Section 6.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Curcio moved that **House Bill No. 2706**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Howell, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 91

Representatives present and not voting were: DeBerry -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 2706** and have this statement entered in the Journal: Rep. Hulsey.

REGULAR CALENDAR, CONTINUED

House Bill No. 2033 -- Domestic Violence - As introduced, authorizes a domestic abuse victim to request that a court issue an order directing a wireless telephone service provider to transfer the billing responsibility for and rights to the wireless telephone number or numbers to the petitioner. - Amends TCA Title 36, Chapter 3, Part 6. by *Coley, *Littleton, *Moody, *Hardaway. (*SB1796 by *Ketron, *Roberts, *Harris, *Jackson, *Kelsey)

On motion, House Bill No. 2033 was made to conform with **Senate Bill No. 1796**; the Senate Bill was substituted for the House Bill.

Rep. Coley moved that Senate Bill No. 1796 be passed on third and final consideration.

Rep. Farmer moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Coley moved that **Senate Bill No. 1796** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 94

A motion to reconsider was tabled.

***House Joint Resolution No. 716** -- General Assembly, Confirmation of Appointment - Karen King, State Textbook and Instructional Materials Quality Commission. by *Boyd.

On motion, **Senate Joint Resolution No. 542** was substitutes for House Joint Resolution No. 716.

Rep. Boyd moved to concur in **Senate Joint Resolution No. 542**, which motion prevailed by the following vote:

Ayes 92
Noes..... 0

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 92

A motion to reconsider was tabled.

House Bill No. 2339 -- Obion County - Subject to local approval, clarifies that the proceeds from the hotel/motel taxes in Obion County that currently go to Reelfoot Lake Tourism shall now be deposited in the general fund. - Amends Chapter 133 of the Private Acts of 1991. by *Sanderson. (*SB1653 by *Stevens)

Rep. Sanderson moved that House Bill No. 2339 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2339 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Chapter 133 of the Private Acts of 1991, and any other acts amendatory thereto, is amended by deleting the second sentence of Section 3 and substituting instead the following:

The county legislative body shall designate and use the proceeds to promote tourism and economic development in Obion County.

SECTION 2. Chapter 133 of the Private Acts of 1991, and any other acts amendatory thereto, is amended by deleting the word "shall" in the last sentence of Section 6 and substituting instead the word "may".

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Obion County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Obion County and certified to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall become effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Sanderson moved that **House Bill No. 2339**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes.....	2
Present and not voting.....	4

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McDaniel, Miller, Mitchell, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Staples, Stewart, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 87

Representatives voting no were: Lynn, Parkinson -- 2

Representatives present and not voting were: Boyd, McCormick, Rudd, Sparks -- 4

A motion to reconsider was tabled.

***House Bill No. 2189** -- Taxes, Hotel Motel - As introduced, authorizes the City of Pleasant View, by ordinance adopted by a two-thirds vote, to levy an occupancy tax of not more than 5 percent on the privilege of staying in any hotel or motel in Pleasant View; the ordinance must set forth the manner of collection and administration of the privilege tax; requires that all proceeds received by the municipality from the tax be used for tourism development. - Amends TCA Section 67-4-1425. by *Littleton, *Goins. (SB2457 by *Roberts)

Rep. Littleton moved that **House Bill No. 2189** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
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Noes..... 2
Present and not voting..... 3

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Staples, Stewart, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madame Speaker Harwell -- 87

Representatives voting no were: Lynn, Parkinson -- 2

Representatives present and not voting were: Rudd, Sparks, Windle -- 3

A motion to reconsider was tabled.

***House Bill No. 1344** -- Election Laws - As introduced, requires election officials to inspect filings for sufficiency and timeliness; establishes conclusive presumption that accepted filings are sufficient and timely filed. - Amends TCA Title 2; Title 6 and Title 49. by *Jernigan, *Parkinson. (SB1399 by *Dickerson)

Rep. Jernigan moved that House Bill No. 1344 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1344 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-3-107(b)(1), is amended by designating the existing language as subdivision (A) and adding the following language as new subdivision (B):

(B)

(i) If the county election commission has arranged for the use of a public school or a public charter school as a polling place for a regular November election, as defined in § 2-1-104, then the LEA or the public charter school, respectively, shall be closed for instruction on the election day. The LEA or the public charter school may use the day as an in-service day for school personnel.

(ii) An LEA or public charter school may choose to be open or closed for instruction on election days other than days on which a regular November election occurs. If an LEA or public charter school chooses to close on an election day, then the LEA or public charter school may use the day as an in-service day for school personnel.

(iii) Before adopting a calendar for a school year, each LEA and public charter school shall consult with the county election commission as to the elections that are scheduled to be conducted during the school year for which the calendar is to be adopted.

SECTION 2. This act shall take effect January 1, 2019, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Jernigan moved that **House Bill No. 1344**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 93

A motion to reconsider was tabled.

House Bill No. 2561 -- Housing - As introduced, redefines "affordable housing" and "workforce housing" for purposes of specifying types of housing for which a county legislative body is authorized to appropriate funds. - Amends TCA Title 5, Chapter 9. by *Jernigan, *Love, *Gilmore, *Clemmons. (*SB2343 by *Dickerson, *Yarbro)

On motion, House Bill No. 2561 was made to conform with **Senate Bill No. 2343**; the Senate Bill was substituted for the House Bill.

Rep. Jernigan moved that Senate Bill No. 2343 be passed on third and final consideration.

Rep. Wirgau moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Jernigan moved that **Senate Bill No. 2343** be reset for the next available Regular Calendar, which motion prevailed.

***House Bill No. 1578** -- Election Laws - As introduced, allows voter who was issued an absentee ballot to vote a provisional ballot. - Amends TCA Section 2-6-301 and Section 2-7-112. by *Crawford. (SB1690 by *Lundberg)

On motion, House Bill No. 1578 was made to conform with **Senate Bill No. 1690**; the Senate Bill was substituted for the House Bill.

Rep. Crawford moved that **Senate Bill No. 1690** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 93

A motion to reconsider was tabled.

House Bill No. 1938 -- Political Parties - As introduced, prohibits a statewide political party or recognized minor party from adopting a party rule that would preclude an honorably discharged veteran from qualifying as a candidate for office based on the number of times the veteran voted during the previous three general elections. - Amends TCA Title 2, Chapter 13, Part 1. by *Ragan, *Reedy, *Clemmons, *Moon, *Camper. (*SB1688 by *Briggs, *Bailey, *Gresham, *Harris)

Rep. Ragan moved that **House Bill No. 1938** be reset for the Regular Calendar on April 11, 2018, which motion prevailed.

House Bill No. 1939 -- Firearms and Ammunition - As introduced, allows county commissioner in the actual discharge of the commissioner's duties who has a valid handgun carry permit to carry in buildings in which judicial proceedings are taking place if county commission meetings are also held in the building. - Amends TCA Title 39, Chapter 17, Part 13. by *Ragan. (*SB1500 by *Stevens)

Rep. Ragan moved that House Bill No. 1939 be passed on third and final consideration.

Rep. Farmer moved adoption of Civil Justice Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1939 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1306(c), is amended by adding the following as a new subdivision:

(4)

(A) Is in the actual discharge of official duties as a county commissioner and:

(i) Is authorized to carry a handgun pursuant to § 39-17-1351; and

(ii) Is in a building in which county commission meetings are held, but is not in the room in which judicial proceedings are in progress.

(B) As used in this subdivision (c)(4), "county commissioner" means a member of a local legislative body known as a board of county commissioners and does not include a member of the legislative body of a metropolitan government.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Ragan moved that **House Bill No. 1939**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	71
Noes.....	17
Present and not voting.....	2

Representatives voting aye were: Alexander, Boyd, Brooks H., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Gravitt, Halford, Hawk, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Moody, Moon, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Sherrell, Smith, Sparks, Terry, Tillis, Travis, Van Huss,

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Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 71

Representatives voting no were: Akbari, Beck, Clemmons, Fitzhugh, Hardaway, Jernigan, Love, Miller, Mitchell, Parkinson, Powell, Shaw, Staples, Stewart, Thompson, Towns, Turner -- 17

Representatives present and not voting were: Cooper, Gilmore -- 2

A motion to reconsider was tabled.

***House Joint Resolution No. 734** -- General Assembly, Confirmation of Appointment - Robert S. Eby, State Board of Education. by *Calfee.

On motion, **Senate Joint Resolution No. 545** was substituted for House Joint Resolution No. 734.

Rep. Calfee moved to concur in **Senate Joint Resolution No. 545**, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 95

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Rep. Towns was recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

***House Bill No. 836** -- Driver Licenses - As introduced, allows a victim of identity theft to apply for and receive a new driver license with a new distinguishing number upon presenting proof of the crime, including a law enforcement report that lists the applicant as a victim of identity theft; allows the department of safety to charge a reasonable fee for reissuance of a driver license due to identity theft. - Amends TCA Section 39-14-150 and Title 55, Chapter 50. by *DeBerry. (SB912 by *Bell)

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On motion, House Bill No. 836 was made to conform with **Senate Bill No. 912**; the Senate Bill was substituted for the House Bill.

Rep. DeBerry moved that Senate Bill No. 912 be passed on third and final consideration.

Rep. Doss moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 912 by deleting the effective date section and substituting instead the following:

SECTION _____. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. DeBerry moved that **Senate Bill No. 912**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 93

Representatives present and not voting were: Mitchell -- 1

A motion to reconsider was tabled.

***House Joint Resolution No. 707** -- General Assembly, Confirmation of Appointment - Darrell T. Cobbins, State Board of Education. by *DeBerry.

On motion, **Senate Joint Resolution No. 537** was substituted for House Joint Resolution No. 707.

Rep. DeBerry moved to concur in **Senate Joint Resolution No. 537**, which motion prevailed by the following vote:

Ayes	93
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Noes..... 0
Present and not voting..... 1

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 93

Representatives present and not voting were: Daniel -- 1

A motion to reconsider was tabled.

House Bill No. 2510 -- Controlled Substances - As introduced, authorizes a nurse practitioner or physician assistant who holds a federal DEA waiver to prescribe buprenorphine products under certain conditions. - Amends TCA Title 53. by *Favors, *Ramsey, *Pitts, *Hardaway. (*SB2095 by *Dickerson)

Further consideration of House Bill No. 2510, previously considered on March 29, 2018, at which time it was reset for today's Calendar.

Rep. Favors moved that House Bill No. 2510 be passed on third and final consideration.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2510 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. The commissioner of mental health and substance abuse services shall convene a working group to examine the potential impact of authorizing advance practice nurses and physician assistants in this state to prescribe buprenorphine containing products for the treatment of opioid use disorder and any potentially appropriate clinical settings for any such prescribing authority. The working group shall include at least one (1) representative from the Tennessee department of health, the Tennessee department of mental health and substance abuse services, the Tennessee bureau of investigation, the Tennessee Association of Chiefs of Police, the Tennessee Medical Association, the Tennessee Nurses Association, the Tennessee Academy of Physician Assistants, the Tennessee Primary Care Association, the Tennessee Society of Addiction Medicine, the Tennessee Recovery Coalition, the Tennessee Association of Alcohol, Drug, and Other Addiction Services, the Tennessee Association of Mental Health Organizations, Neighborhood Health, and a facility licensed as a nonresidential

office-based treatment facility by the department of mental health and substance abuse services.

SECTION 2. Any costs associated with participation in the working group shall be borne by the individual participants or their respective associations or organizations and not by the state of Tennessee, except for those who are employed by this state. In no event shall this working group require the hiring of additional staff by this state.

SECTION 3. No later than February 1, 2019, the working group shall submit a report regarding its findings and recommendations to the commissioner of mental health and substance abuse services, the commissioner of health, the health committee of the house of representatives, and the health and welfare committee of the senate, at which time the working group shall cease to exist.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Favors moved that **House Bill No. 2510**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes.....	2
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Madame Speaker Harwell -- 90

Representatives voting no were: Daniel, Zachary -- 2

Representatives present and not voting were: Rudd -- 1

A motion to reconsider was tabled.

MESSAGE CALENDAR

MOTION TO RECONSIDER

Senate Bill No. 2210 -- Alcoholic Beverages - As introduced, designates Marble Gate in Blount County a premier type tourist resort for purposes of consumption of alcoholic beverages

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on the premises. - Amends TCA Section 57-4-102. by *Niceley, *Swann. (*HB1474 by *Ramsey, *Carr)

Rep. Ramsey moved to lift from the table the motion to reconsider action in passing Senate Bill No. 2210, which motion prevailed.

Rep. Ramsey moved to reconsider action in passing Senate Bill No. 2210, which motion prevailed.

Rep. Ramsey moved that Senate Bill No. 2210, as amended, be passed on third and final consideration.

Rep. Ramsey moved to reconsider action in adopting House Amendment No. 1, which motion prevailed.

Rep. Ramsey moved that House Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Ramsey moved that **Senate Bill No. 2210** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	69
Noes.....	15
Present and not voting.....	7

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Doss, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Holsclaw, Hulsey, Jernigan, Johnson, Kane, Kumar, Lamberth, Littleton, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moon, Parkinson, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Shaw, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Vaughan, Weaver, White D., Whitson, Williams, Windle, Wirgau, Madame Speaker Harwell -- 69

Representatives voting no were: Butt, Dunn, Goins, Hill M., Hill T., Howell, Keisling, Lollar, Lynn, Matlock, Moody, Sexton J., Van Huss, White M., Zachary -- 15

Representatives present and not voting were: Byrd, DeBerry, Powers, Rudd, Sherrell, Smith, Sparks -- 7

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1976 -- Alcoholic Beverages - As introduced, authorizes an entity licensed or applying for a license to sell alcoholic beverages for on-premises consumption to include in the entity's designation of its premises any contiguous area owned or controlled by the entity; authorizes an entity licensed to sell alcoholic beverages for on-premises consumption to serve a sample of wine to a patron or customer that does not exceed one ounce. - Amends TCA Title 57, Chapter 4. by *Marsh, *Powell. (*SB1820 by *Ketron)

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Senate Amendment No. 2

AMEND House Bill No. 1976 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-101, is amended by adding the following new subsection (p):

(p) An entity licensed or applying for a license under subsection (a) may include in the entity's designation of its premises any contiguous area owned or controlled by the entity for purposes of on-premises consumption of alcoholic beverages and beer. If the contiguous area used for on-premises consumption is unenclosed, the entity shall make reasonable efforts to ensure that a customer cannot leave the premises with an alcoholic beverage or beer purchased on the premises by using barriers to prevent the ingress and egress of customers to and from the premises. If more than one (1) entity licensed under subsection (a) operates within the same building or facility, the designations of premises under this subsection (p) may overlap; provided, that each entity serves alcoholic beverages and beer in a glass or cup identifying the entity selling the alcoholic beverages or beer for on-premises consumption.

SECTION 2. Tennessee Code Annotated, Section 57-4-203(e)(2), is amended by deleting the subdivision and substituting instead the following:

(2) A licensee shall not give away any such sealed package or any drink of wine or alcoholic beverage to any patron or customer; provided, that:

(A) A hotel licensed under this chapter may include as part of the accommodations to a registered guest the provision of up to four (4) seven hundred fifty milliliter (750 ml.) or smaller complimentary sealed packages of wine or alcoholic beverages for which all applicable taxes have been paid; and

(B) A licensee may serve a sample of wine to a patron or customer that does not exceed one ounce (1 oz.).

SECTION 3. Tennessee Code Annotated, Section 57-4-101(a), is amended by adding the following new subdivision:

(22) Festival operator as defined in § 57-4-102, to those in attendance at a festival, subject to the further provisions of this chapter, and except as otherwise provided in § 57-4-102.

SECTION 4. Tennessee Code Annotated, Section 57-4-102, is amended by adding the following as a new, appropriately designated subdivision:

()

(A) "Festival operator" means a person licensed under this subdivision () who is either a for-profit business operating a festival for a period of up to seven (7) days in length in which alcoholic beverages or beer will be sold, given away, or otherwise dispensed or a third party with whom such for-profit business engages to conduct alcoholic beverage or beer sales during such festival.

(B) The commission shall issue a license to a festival operator upon the payment of a fee of one thousand dollars (\$1,000) per day of the festival, and the submission of an application on a form prescribed by the commission that provides proof satisfactory of the following information, to the satisfaction of the commission:

(i) The premises on which alcoholic beverages or beer will be served, sold, dispensed, or consumed is sufficiently designated, enclosed, secured, and maintained;

(ii) Adequate security for the festival is provided;

(iii) The number and location of each point of sale in which alcoholic beverages or beer will be served, sold, dispensed, or consumed is specified. If the operator of any such point of sale, including any person or entity that receives any portion of the proceeds of the sale of alcoholic beverages or beer from that point of sale, is different from the festival operator, the name and relevant information of such other operator must be specified on the application to the commission, and the commission may determine that such other operator is required to obtain an additional festival operator license;

(iv) The staff selling, serving, or dispensing alcoholic beverages or beer are adequately trained and supervised in the service of alcoholic beverages and beer and on the applicable laws regarding such service;

(v) The city or county in which, or the state governmental entity responsible for the property on which, the festival is to be held has approved the festival; and

(vi) If the applicant intends to sell, serve, or dispense beer, the applicant has a beer permit issued in accordance with chapter 5 of this title.

(C) No person licensed under this title, operating in conjunction with a festival operator licensee, or performing any activities for which a license is otherwise required under this title, other than a festival operator or special occasion licensee licensed under this section, may provide any service, item, or other thing of value to a festival operator or with respect to a festival operator's festival, except as may be expressly authorized by the commission. Additionally, no festival operator may receive or accept

any item or service that a person under this subdivision () is prohibited from providing. All alcoholic beverages used for the festival must be purchased from wholesalers licensed under § 57-3-203. Notwithstanding any law to the contrary, a wholesaler may buy back any unopened and resalable bottles of alcoholic beverages at the end of the festival. A wholesaler shall keep all records, as may be required by the commission, necessary to document the purchase of such products pursuant to this subdivision ().

(D) All applicable taxes, including the tax levied on the sale of alcoholic beverages for consumption on the premises under § 57-4-301, must be remitted as required by law.

(E) Alcoholic beverages and beer may be sold, given away, dispensed, or consumed only within hours sufficient to ensure adequate public health, safety, and welfare as determined by the commission or local beer board, as applicable.

(F) Notwithstanding any law to the contrary, if the commission finds that any of the requirements of this subdivision () have not been, or are not being, met by a festival operator during a festival or after the completion of a festival, or that the festival operator misrepresented information in the person's application, the commission may use the failure or misrepresentation as the basis to summarily suspend the license of the festival operator, to deny any future applications for a festival operator license for a period of up to two (2) years after the festival in which the failure or misrepresentation occurred, or to issue a fine of up to ten thousand dollars (\$10,000) per violation, which disciplinary action must be resolved prior to the issuance of any new festival operator license to the festival operator.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Marsh moved that the House concur in Senate Amendment No. 2 to **House Bill No. 1976**, which motion prevailed by the following vote:

Ayes	68
Noes.....	18
Present and not voting.....	5

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Holsclaw, Howell, Jernigan, Johnson, Kumar, Lamberth, Littleton, Marsh, Matheny, McCormick, McDaniel, Miller, Mitchell, Moon, Parkinson, Pitts, Powell, Ragan, Ramsey, Rogers, Sanderson, Sexton C., Shaw, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Vaughan, Weaver, White D., Whitson, Williams, Wirgau, Madame Speaker Harwell -- 68

Representatives voting no were: Butt, Byrd, DeBerry, Doss, Dunn, Hill M., Hill T., Hulsey, Keisling, Lollar, Lynn, Matlock, Moody, Sexton J., Van Huss, White M., Windle, Zachary -- 18

Representatives present and not voting were: Powers, Rudd, Sherrell, Smith, Sparks -- 5

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

On motion of Representative Casada, the following rules were suspended for the remainder of the 2018 Legislative Session:

Suspend **Rule No. 17**: so that all congratulatory and memorializing resolutions can be placed directly on the next Consent Calendar.

Suspend **Rule No. 49**: the 48-hour rule so that all bills moved from Calendar and Rules can be set on the next floor Calendar.

Suspend **Rule No. 49**: the 25 bill limit rule so that more than 25 bills may be placed on the Calendar for final consideration on any one day.

Suspend **Rule No. 50**: the 72-hour rule for posting the Consent Calendar, so that local bills and other bills and resolutions coming out of Calendar and Rules can be placed on the next Consent Calendar on a daily basis.

Suspend **Rule No. 59**: notice provisions so that all bills from the Senate with messages can be announced and/or automatically placed on the next Message Calendar.

Suspend **Rule No. 60**: so that notice of proposed amendments may be given until the start of Session on the day of consideration.

Suspend **Rule No. 67**: so that committee and subcommittee meetings can be held at times other than those specified in the House Weekly Schedule and with less than 72 hours notice.

Suspend **Rule No. 71**: the 24-hour rule requiring all amendments to be available to members 24 hours before consideration on the floor.

Suspend **Rule No. 75**: meeting time provision so that session can meet hours other than 9:00 a.m. to 12 noon and 2:00 p.m. to 7:00 p.m.

Suspend **Rule No. 83(1)**: so that all bills reported out of subcommittee can be heard on the next full committee calendar without waiting a week.

Suspend **Rule No. 83(1)**: so that all bills reported out of committee can be heard in the next committee or subcommittee without waiting a week.

Suspend **Rule No. 83(1)**: so that items in committee and subcommittee can be placed on the next calendar notwithstanding the Wednesday 3:30 deadline for placing bills on notice.

RULES SUSPENDED

Rep. Casada moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 806 out of order, which motion prevailed.

Senate Joint Resolution No. 806 -- Memorials, Sports - Lipscomb University men's basketball team. by *Roberts, *Yarbro.

On motion of Rep. Casada, the resolution was concurred in.

A motion to reconsider was tabled.

CLERK'S NOTE TO THE JOURNAL

Pursuant to **Rule No. 20**, Rep. K. Brooks was excused from Session on Monday, April 2, 2018.

ANNOUNCEMENTS

Rep. Lamberth announced the Criminal Justice Final Calendar would be Wednesday, April 11, 2018.

The Clerk announced the Delayed Bills Committee would meet at 7:30 a.m. in the Speaker's Conference Room on Tuesday, April 3, 2018.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1599 Reps. Love, Faison and Howell as prime sponsors.

House Bill No. 1938 Reps. Hardaway and Favors as prime sponsors.

House Bill No. 2129 Rep. Harwell as prime sponsor.

MONDAY, APRIL 2, 2018 -- SIXTY-SIXTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 2134 Reps. Casada, Jernigan, Moody, Rogers, Farmer and Whitson as prime sponsors.

House Bill No. 2255 Reps. Camper and Love as prime sponsors.

House Bill No. 2275 Rep. Marsh as prime sponsor.

House Bill No. 2450 Rep. Goins as First prime sponsor.

House Bill No. 2513 Reps. Camper and Love as prime sponsors.

House Bill No. 2555 Rep. Daniel as prime sponsor.

House Bill No. 2561 Reps. Ramsey and Hardaway as prime sponsors.

**MESSAGE FROM THE GOVERNOR
April 2, 2018**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bills Nos. 1825, 1947, 2396 and 2642; also House Joint Resolutions Nos. 712, 723, 869, 913, 914, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 935, 936, 937, 938, 939, 942, 945, 946, 947, 948, 949, 950 and 951; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**SIGNED
April 2, 2018**

The Speaker announced that she had signed the following: House Bill No. 2697.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 2, 2018**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 1539, 1569, 1855, 2004, 2069, 2186, 2222, 2342 and 2697; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 2, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1407, 1553, 1723, 1812, 1944, 2249, 2413 and 2513; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
April 2, 2018**

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

The Speaker announced that she had signed the following: House Bills Nos. 222, 1198, 1552, 1667, 1762, 1875, 2014, 2047, 2080, 2251, 2387, 2693, 2696, 2698 and 2701.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE
April 2, 2018

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution No. 911; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 93

Representatives present were Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 93

RECESS

On motion of Rep. Casada, the House stood in recess until 8:00 a.m., Wednesday, April 4, 2018.